

Message Text

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43

ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 COME-00 EB-07 INR-07 LAB-04

NSAE-00 SIL-01 DODE-00 PM-04 H-02 L-03 NSC-05 PA-01

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TAGS: PINT, ELAB, PE

SUBJ: GOP ACTS TO CURTAIL STRIKES IN MINING SECTOR

1. ON APRIL 10 THE OFFICIAL GAZETTE EL PERUANO CARRIED TEXT OF APRIL 6 DECREE LAW DECLARING MINING INDUSTRY IN A "STATE OF EMERGENCY" AND ATTRIBUTING PRODUCTION DIFFICULTIES TO CERTAIN UNION LEADERS WHO HAVE "INSTIGATED" AND LED STRIKES FOR POLITICAL OR "NON-LABOR" REASONS. DECREE AUTHORIZES ENTERPRISES IN MINING SECTOR TO RESCIND LABOR CONTRACTS OF PERSONNEL ENGAGED IN "WORK STOPPAGES WHICH ARE DECLARED ILLEGAL". DECLARATION OF ILLEGALITY WILL BE ISSUED BY THE MINISTERS OF LABOR AND MINES BY MEANS OF A JOINT RESOLUTION. DECREE LAW SPECIFICALLY INCLUDES UNION LEADERS ENJOYING "UNION LICENSE" OR PAID LEAVE, WHO IN PAST HAD BEEN RELATIVELY IMMUNE FROM COMPANY RETALIATION FOR THEIR UNION ACTIVITY. DECREE AUTOMATICALLY DENIES THE USUAL THREE-MONTH SEPARATION PAY TO DISMISSED WORKERS ON GROUNDS THAT DISMISSAL IS IPSO FACTO FOR "JUST CASES".

2. DECREE HAS HAD IMMEDIATE IMPACT. INDEFINITE STRIKE AT SOUTHERN PERU COPPER CORPORATION ILO SMELTER WHICH BEGAN APRIL 8 TERMINATED WITHIN HOURS OF DECREE LAW PUBLICATION. SCHEDULED

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APRIL 12 STRIKE AT SPCC TOQUEPALA MINE HAS BEEN CALLED OFF.

ALTHOUGH EDITORIAL OPINION IN SECTORIZED PRESS (UNIFORMLY FAVORABLE) HAS RELATED DECREE TO NEEDS OF GOP CENTROMIN MINE COMPLEX WHICH ALSO THREATENED WITH STRIKE, COUNCIL OF MINISTERS WAS AWARE OF IMMINENT SPCC STRIKE AND PERHAPS ACTED QUICKLY IN ORDER TO MEET THAT PROBLEM.

3. FAR-LEFT MINE UNION WHICH HAS CONTROLLED TOQUEPALA WORKERS PREDICTABLY CONDEMNED DECREE AND FAR-LEFT LABOR COORDINATING COMMITTEE (CCUSC), TO WHICH UNION BELONGS, HAS SCHEDULED MEETING TO REGISTER WORKER OPPOSITION. MOSCOW-LINE CGTP, WHICH MAINTAINS POSTURE OF POLITICAL SUPPORT FOR THE REVOLUTION AND WHICH IS ATTEMPTING TO RETAIN ITS SOMETIME FAVORED POSITION WITH THE GOP, HAS NOT YET ISSUED STATEMENT ON DECREE. IMMEDIATE RETURN TO WORK OF CGTP GROUP AT ILO MAY MEAN UNION CAUTIOUSLY ASSESSING DECREE WHICH COULD HAVE A DELETERIOUS EFFECT ON CGTP ACTIVITY. APRA-ORIENTED CTP IS ALSO WITHHOLDING COMMENT THUS FAR, BUT APRA CO-SECRETARY TOLD EMBOFF THAT PARTY SUPPORTS DECREE.

4. COMMENT: DECREE APPEARS TO BE AN IMPORTANT NEXT STEP IN PRACTICAL APPLICATION OF PRINCIPLES CONTAINED IN PRESIDENT MORALES BERMUDEZ' MARCH 31 SPEECH. IT REPRESENTS A REVERSAL OF FORMER PRO-LABOR GOP STANCE AT LEAST INSOFAR AS MINING SECTOR IS CONCERNED. THE RESTRICTION ON STRIKE ACTIVITY CONTAINED IN THE DECREE AND RELATIVELY FREE HAND (ASSUMING GOP DECLARATION OF ILLEGALITY IN SPECIFIC WORK STOPPAGE) IT GIVES TO THE EMPLOYER TO FIRE TROUBLESOME UNION LEADERS WOULD HAVE BEEN EXTREMELY UNLIKELY BEFORE RECENT POLITICAL CHANGE EXEMPLIFIED IN MARCH 31 SPEECH. RECENT AREQUIPA GENERAL STRIKE, FOR EXAMPLE, WHICH HAD BEEN SETTLED BY PRIME MINISTER FERNANDEZ MALDONADO, INVOLVED CONSIDERABLE CONCESSIONS TO "ILLEGAL STRIKERS". AND MORALES BERMUDEZ HIMSELF, AGAINST THE RECOMMENDATION OF HIS LABOR MINISTER, RECENTLY FORCED THE "EL PLASTICOS" FIRM TO REHIRE POLITICIZED "LABOR AGITATORS". ALTHOUGH GOP MAY OR MAY NOT EXTEND PROVISIONS OF DECREE TO OTHER SECTORS IN NEAR FUTURE, A PRECEDENT IS SET AND THE THREAT TO RECALCITRANT UNIONS IS CLEAR. LABOR MINISTRY SOURCE TOLD EMBOFF THAT COUNCIL OF MINISTERS WOULD ISSUE ANOTHER FAR-REACHING LABOR DECREE AT ITS APRIL 13 SESSION.
DEAN

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